

**REMARKS**

Claims 1 – 22 are pending in the present application. By this Amendment, claims 1 and 12 have been amended and claims 2 and 13 have been cancelled. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated May 28, 2004.

**As To The Merits:**

As to the merits of this case, the Examiner maintains the following rejections:

- 1) claims 1, 5, 12 and 13 are rejected under 35 U.S.C. §102(e) as being anticipated by Pare (of record); and
- 2) claims 2-4, 6-11, and 14-22 are rejected under 35 USC §103(a) as being unpatentable over Pare in view of Gressel (of record).

Each of these rejections is respectfully traversed.

Claims 1 and 12 have been amended to include the features of claims 2 and 13, respectively, in order to clearly express the construction for detecting the illegal access, particularly, the role of the storing unit, the construction to fetch the access data for the authentication from the service providing system.

Therefore, claims 1 and 12, as amended, now include that the storing unit comprises: an inputting and storing unit for inputting and temporarily storing the ID information and organic information based on the authentication demand which said service providing apparatus received from the user and a use information storing unit for storing ID information and organic

information based on the authentication demand which the service providing apparatus received in the past from the user.

Thus, when the user makes the authentication demand to the service providing apparatus by the ID information and the organic information, the control unit compares and collates the input data which was fetched and temporarily stored in the inputting and storing unit with the past access data stored in the use information storing unit, thereby discriminating whether or not the authentication demand has been made by the illegal attacker.

Both of the cited references of Pare and Gressel relate to the techniques for making the authentication demand by the personal ID and the organic information when the service is used in the service providing system of the present invention. The present invention relates to the apparatus and method for detecting an illegal attacker who accesses the service providing system.

That is, the present invention does not relate to the technique in which the system accesses the service providing apparatus and responds to the demand for the authentication of the user himself. Generally, the service providing apparatus has a construction in which the organic information is previously registered together with the user's ID as a pair and they are collated, thereby giving the authentication of use permission to the user. On the other hand, the present invention relates to the illegal access discriminating apparatus for detecting the illegal access to the service providing apparatus.

In addition, it is submitted that the Examiner has failed to appreciate that while the service providing apparatus of the present invention compares inputted ID and organic information with previously registered ID and organic information, the illegal access discrimination apparatus compares the latest inputted ID and organic information with previously inputted, and not previously registered, ID and organic information.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

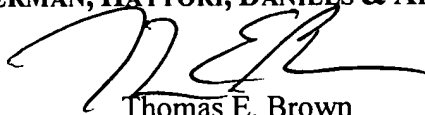
If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Response After Final  
Serial No. **09/425,736**  
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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

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